

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 19-10981-elf
Nina Mitchell	:	Chapter 13
Debtor	:	
U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services	:	
Movant	:	
vs.	:	
Nina Mitchell	:	
Debtor/Respondent	:	
and	:	
William C. Miller, Esquire	:	
Trustee/Respondent	:	

OBJECTION TO CONFIRMATION OF THE AMENDED PLAN

U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Nina Mitchell (“Debtor”), as follows:

1. As of the bankruptcy filing date of February 18, 2019, Movant holds a secured Claim against the Debtor’s property located at 715 Clovelly Lane, Devon, PA 19333.

2. Movant filed a Proof of Claim on March 15, 2019 with a secured claim in the amount of \$881,569.91 pre-petition arrears in the amount of \$149,404.84.

3. The Amended Plan currently proposes to cure Movant’s claim via sale for the property on or before 02/01/2021 with a Fair Market Value of \$750,000.00. The Sale price proposed by Debtor is not sufficient to pay the claim in full.

4. The Amended Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).

5. The Amended Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Amended Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Amended Chapter 13 Plan.

Respectfully submitted,

Dated: 10/26/2020

/s / Antonio Bonanni, Esquire
Antonio, Bonanni, Esquire
Hladik, Onorato & Federman, LLP
Attorney I.D. # 322940
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RMAC Trust, Series 2016-CTT c/o Rushmore	:	
Loan Management Services	:	
Movant	:	
vs.	:	
	:	
Nina Mitchell	:	
Debtor/Respondent	:	
and	:	
William C. Miller, Esquire	:	
Trustee/Respondent	:	

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Antonio, Bonanni, Esquire, attorney for U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 10/26/2020:

Michael G. Deegan, Esquire
Via Electronic Filing
Attorney for Debtor

William C. Miller, Esquire
Via Electronic Filing
Trustee

Date: 10/26/2020

Nina Mitchell
715 Clovelly Lane
Devon, PA 19333
Via First Class Mail
Debtor

Respectfully Submitted,
/s / Antonio Bonanni, Esquire
Antonio, Bonanni, Esquire
Hladik, Onorato & Federman, LLP
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298 Wissahickon Avenue
North Wales, PA 19454
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